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LETTER DATED 7 DECEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 5 December 1996 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the continuing violations of the territory and airspace of the Republic of Iraq by Turkish armed forces.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Annex

Letter dated 5 December 1996 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I refer to my letter of 16 November 1996 concerning continuing violations of the territory and airspace of the Republic of Iraq by Turkish armed forces (S/1996/951, annex) and should like to inform you that, on a variety of pretexts, such forces are still engaging in military operations inside Iraq's territory and in its airspace. The particulars are set forth hereunder.

1. On 30 October 1996 Turkish fighter aircraft bombarded the Iraqi villages of Pirbala and Kishan.

2. On 30 October 1996 Turkish artillery shelled the Qasrok and Mirgah Shish areas of Iraq.

3. On 29 and 30 October 1996, because of the continuing Turkish artillery shelling of areas inside Iraq, the inhabitants of the Iraqi village of Kani Masi left for other areas.

4. From 1505 to 1507 hours on 4 November 1996 a Turkish fighter aircraft carried out an aerial sortie in the Pibu area of the northern region.

5. On 4 and 5 November 1996 Turkish special forces, in brigade strength, entered the villages of Bayndaru, Dizu and Sabindar in the Shirwan area of Mirgah Sur district. Turkish artillery also shelled the Pir Siyaf, Khayruzuk and Jami areas.

6. Acting in an openly aggressive manner, Turkish forces arrested 16 citizens and caused damage to the homes and property of a number of others.

7. At 1000 hours on 10 November 1996 Turkish fighter aircraft bombarded the Iraqi villages of Karfiyah and Bakmalah, killing three children.

As stated in my previous letter, the Turkish Government bears full international responsibility for such acts of aggression committed inside Iraqi territory and for all their consequences, regardless of the alleged reasons it gives.

The Government of Iraq reserves its legitimate right under international law to seek compensation for the damage caused by these Turkish violations of its territory and its airspace. Through you, it renews its call to the Government of Turkey to reconsider its policy with respect to the situation in northern Iraq and to promote the collaboration of the two countries on the basis of those considerations of good-neighbourliness and mutual respect for sovereignty to which Iraq is committed. It will thus be possible to eliminate the reasons for the persistence of a situation that jeopardizes the interests of both countries and their desire to promote security and stability in the region so as to fulfil their peoples' aspirations for prosperity and progress.

In conveying to you the details of these Turkish violations, the Government of Iraq calls for an immediate and thorough investigation of the incidents in question. It does so because the practices of the Turkish forces, as represented by their repeated shelling of towns and villages in Iraq and their unlawful incursions into Iraqi territory, are in flagrant violation of Iraq's sovereignty and the inviolability of its territory and airspace, just as they are incompatible with relations of good-neighbourliness, the Charter of the United Nations, the norms of international law and the 1926 Iraq-Turkey boundary agreement. These practices may also undermine stability in the region as a whole, which is suffering primarily from the anomalous situation created by the Americans and their allies in northern Iraq. There is also, of course, the human suffering inflicted on Iraqi citizens by the unlawful activities of the Turkish armed forces and their military operations inside Iraqi territory.

The anomalous situation in northern Iraq, which is being maintained by the United States of America by means of brute force, and the deployment of United States and British strike forces in Turkish territory are preventing the two neighbours from resolving such issues as mar relations between them, and they pose a threat to international peace and security in the region and in the world at large.

As, through you, I reiterate my country's call to its Turkish neighbours to respect Iraq's sovereignty and territorial integrity, I express the hope that the United Nations will meet its responsibilities as laid down in the Charter and that it will halt the intimidation and aggression to which my country is constantly being subjected.

I should be grateful if you would have this letter circulated as a United Nations document.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq